

**REMARKS**

- Claims 1-27 were pending in the present application
- Claims 1-27 stand rejected
- Claims 28-37 have been withdrawn

Upon entry of this amendment, which is respectfully requested for the reasons set forth below:

- Claims 26-27 and 38-72 will be pending
- Claims 26-27 will be amended
- Claims 38-72 will be added
- Claims 26-27, 38, 40, 42, 56, 70, and 72 will be the only independent claims

**Telephone Interview**

Applicants would like to thank the Examiner for the helpful telephone conversation held on May 6, 2002 with Applicants' representatives. The Examiner and Applicants' representative discussed the present application in light of the Keller and Alvarez references.

Applicants indicated that Claims 1-25 would be cancelled.

The Examiner and Applicant's representatives agreed that the references, alone or in combination, do not suggest allowing a player to select a specific score instead of a player's hand (or dealer's hand) and comparing the specific score to a dealer's hand (or player's hand) to determine a winner of a game having an associated predetermined point total (e.g., blackjack).

The Examiner suggested that Applicants amend the preambles of Claims 26-27 to generally indicate: "A method of playing a game that is associated with a predetermined point total, in which a hand of a player is compared to a hand of a dealer to determine a winner." Applicants have amended Claims 26-27 in accordance with the Examiner's suggestion.

The Examiner indicated that Claims 26-27 would be allowable in light of the cited references and also indicated that a further search would be necessary in light of the telephone conversation.

Applicants are grateful for the opportunity to discuss the present application with the Examiner.

**Claim Amendments**

1. Claims 26-27 have been amended

As discussed with the Examiner during the telephone conversation, the preambles of Claims 26-27 have been amended. No new matter has been added.

2. Claims 1-25 have been cancelled

Claims 1-25 have been cancelled without prejudice solely to expedite the allowance of the present application. Applicants plan to pursue the subject matter of Claims 1-25 in a continuing application.

blackjack game with a specific entry (e.g., a specific score). "For example, the player may request a score of 18 to be compared against the dealer's hand...." Specification, page 3, lines 7-10. According to another example, "[i]f the score provided by the specific entry is higher than the score which results from the dealer's hand (random outcome) then the game rules prescribe that the player wins." Specification, page 7, lines 22-24.

In contrast, Keller is devoid of a hint or suggestion of allowing a player to select a specific entry instead of either a player's hand or a dealer's hand. In fact, Keller describes "the Blackjack player's first two cards, and the Dealer's hand" as "the two most important events in a 21 game." Column 9, lines 18-20.

Accordingly, Applicants respectfully submit that Keller is devoid of a hint or suggestion of features generally directed to:

- *allowing a player to select a specific score instead of a player's hand*
- *comparing the specific score to the dealer's hand to determine a winner of the game*

as recited in independent Claim 26; and

- *allowing a player to select a specific score instead of a dealer's hand*
- *comparing the player's hand to the specific score to determine a winner of the game*

as recited in independent Claim 27.

#### **Section 103(a) Rejection**

Claims 4-6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Keller.

Claims 15-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Alvarez.

Applicants respectfully traverse the Examiner's Section 103(a) rejection of Claims 4-6 and 15-21.

However, Claims 4-6 and 15-21 have been cancelled by this amendment. Accordingly, the Section 103(a) rejection of Claims 4-6 and 15-21 is moot.

**Newly-Added Claims 38-72 Are Patentable Over the Cited References**

Newly-added Claims 38-72 are patentable over Keller and Alvarez for at least the reasons presented herein.

As discussed above, various embodiments of the present invention provide for allowing a player to request a specific entry to replace either of a player's hand and a dealer's hand in a game associated with a predetermined count value (e.g., blackjack, twenty-one).

Applicants respectfully submit that neither Keller nor Alvarez, alone or in combination, teaches or suggests any of the following:

- *receiving a wager for a game from a player,*
  - *in which the game is associated with a predetermined count value, and*
  - *in which a rule of the game provides that the player may receive at least one card determined by chance*
- *receiving a request from the player for a specific entry, in which the specific entry is in place of the at least one card*

as recited in new independent Claim 38;

- *receiving a wager for a game from a player,*
  - *in which the game is associated with a predetermined count value, and*
  - *in which a rule of the game provides that a dealer may receive at least one card determined by chance*
- *receiving a request from the player for a specific entry, in which the specific entry is in place of the at least one card*

as recited in new independent Claim 40;

- *receiving a request from a player, the request indicating a specific score*
- *comparing the specific score and the hand of the dealer to determine a winner of a game of twenty-one, in which the specific score is associated with the player*

as recited in new independent Claim 42;

- *receiving a request from a player, the request indicating a specific score*
- *comparing the specific score and the hand of the player to determine a winner of a game of twenty-one, in which the specific score is associated with the dealer*

as recited in new independent Claim 56;

- *allowing a player of a game of blackjack to select one of:*
  - *receiving a hand comprising at least one card, and*
  - *requesting a specific entry*
- *receiving a request from the player, the request indicating a specific score*
- *determining an outcome of the game based on the specific score and the dealer score*

as recited in new independent Claim 70; or

- *allowing a player of a game of blackjack to select one of:*
  - *allowing a dealer to receive a hand comprising at least one card, and*
  - *requesting a specific entry*
- *receiving a request from the player, the request indicating a specific score*
- *determining an outcome of the game based on the specific score and the player score*

as recited in new independent Claim 72.

For at least the reasons stated herein, Applicants respectfully submit that new Claims 38-72 are allowable.

**Conclusion**


It is submitted that all of the claims are now in condition for allowance. The Examiner's early re-examination and reconsideration are respectfully requested.

Please charge any fees that may be required for this Amendment to Deposit Account No. 50-0271. Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this Amendment timely, and please charge any fee for such an extension to Deposit Account No. 50-0271.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at [mdowns@walkerdigital.com](mailto:mdowns@walkerdigital.com).

Respectfully submitted,

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Date

  
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